App. F. IX-4

Previous References

1933.
(Mayai)

File No. 259

Serial Nos. 1

57-31/E
57-32-1-7

(48)

Later References
Law 112-34-1-2
Law 112-34

General and Revenue Secretariat.

Serial Nos.

Part B for May 34

SUBJECT.

Review petition by the Trustees
for Yatiraja Mutt at Melkote praying
to vacate the orders G.O. 7-6-32 in the
interests of the disciples

Mr M A. Gopalaswami Iyengar
Advocate Bangalore
No 1540 G.O. 17-5-34.

States that there are no reasons
to modify the orders already passed
in the matter.

Re petition by Trustees of Yathiraj Mutt at Melkote.

General and Revenue Secretariat | File No. 252 of 1933 | [App. F. III—2

Serial No.

petition dated the 7th Oct 1933 from the Trustees of the Sri Yathiraj Mutt at Melkote.

pray that for reasons set forth in the petition, Govt may be pleased to review their order dated 7.6.1932 and Proceedings in the interests of the disciples inducted in the welfare of the Mutt.

The petitioners pray that pending final disposal of the petition, a stay order may be issued in the matter of executing the orders already issued by Govt and which is now sought to be followed. According to the petition rules a petition should contain only one prayer whereas the present petition contains two prayers, one for review of the G.O in question and the other, for stay of execution of the said G.O. As such according to the practice in vogue, the prayer for a stay order should be supported by a "Two Rupees" Court Fee Stamp also. If approved the counsel for the petitioners will be asked to furnish a separate petition for a stay order duly stamped as required by the rules.

A

The main file relating to the subject is in the Law Section.

Sd/- [illegible]
11/10/33

Sd/- [illegible]
11/10/33

A- may be approved
Sd/- [illegible]
11/10/33

Sec

NOTE—Contn. Sheet.

WP 10246 GPB—15,000—22-8-32

M. Shivaji Mutt at Melkote – Rely petition

Mercy File No. 353 of 1933.

General and Revenue Secretariat

6' A draft to the petitioners Advocate is herewith.

BJT 13/10

TYPING SECTY
13 OCT. 1933
GENL. & REV. SE

177 1/10 1933

2

petition dated the 2-10-33 from M.R. ... praying that ... petition ... matter.

3

pwd 11

The petitioners request that pending disposal of their review petition, the execution of the G.O. dated 7th June 1932 may be stayed and the Trustees permitted thereby to carry on their duties as before.

~~Time for obtaining both petitioners~~ 5 days. It is submitted that the petitioners have submitted their petition on 7.10.1933 for setting the G.O. order of 7.6.1932

Matter of Mark del Melkote – Review petition by Trustees

General and Revenue Secretariat | File No. 252 of 1933 | [App. F. III—2

Serial No.

M

i.e. 16 months after the G.O. was issued. Although no period of limitation is prescribed for filing review petitions, it has been the practice to reject such applications if they are made more than three months the latest after the date of the order sought to be reviewed.

10) In the present case the Trustees have received a copy of the G.O in question on the 7th July 1932 from the Municipal Commr and they could have preferred a review petition by the 7th October 1932 - which would have been in time. The Review petition which is filed 15 months after the date of the G.O (expired) by the petitioners, seems to be time-barred on which ground it may have to be rejected, as no reasons are given therein for their late

11) In this view of the case, it is for consideration whether a stay order can be issued as prayed for, when the original petition itself seems to be time-barred

12) Rules for orders with reference to para 5 supra:

13) The file relating to the action that is being taken in respect of taking over the management of the Math properties

14) Two reviews are made viz

(1) To review the G.O. of 7th June 32 (Key C)

(2) To stay the execution of the said G.O.

NOTE—Contn Sheet

WD 0216 –GPB—15,000—22-8-32

4)

Sri Yethiraj Mudt – Review Petition by the Trustees

File No. of 193 | General and Revenue Secretariat

15) As regards (1) it is submitted that the petn has been submitted too late – But as no period of limitation is prescribed for filing Review petns the delay may be overlooked and the Review petn heard.

16) As regards (2) Kind reference is invited to the latest report of the M.C. dt 6.9.33 (Flag S) re the action taken on the fd. of June 32 and the request is for orders.

27/10/33

H Seery)

17) The M.C. has taken action already and it would be inconvenient to call back the action taken already under orders of Govt. There appears however to be no great urgency in granting the request for a hearing on the review. This is for orders. / B (Flag S) / A

Office of the Second Member of Council. 27 OCT. No.

2nd Member) 27.10.33 27/10/33

B Yes

1 may be heard. Hear on one of the Muz case days

SM 29/10

A 30/10

A draft reply is put up for approval

Bns 31/10

1/11/33

SECTION

ORE

Q4K Mad Revenue 10 of 33-34 5

S.o no 1817—19/Mer 6 dt 7-12-32

App F III—3

General and Revenue Secretariat

File No Mdy/ re- Management of the properties of Sri Jathirdra Thirtha Swamiar of Sosale taken over by Govt

25-2

Serial No.

No 607 dated 3.11.1933

4 Bys M.A. Gopala Iyengar & anr Appellants

Application not by Govt, order can be granted in the Revn—

Posted for hearing on the 29 Monday the 29 Jan 1934 Jan 1934 Adjourned to 19 Feb 34

The case was called on Monday the 19th Feb 1934 - The Appellants with their Counsel Mr. M.A. Gopala Iyengar & the Govt Counsel heard - Order reserved

5285 19/2

Gpk 19/2

I heard Counsel on both sides. The points urged by the pets were all considered by Govt before orders were passed & legal opinion was also taken - The legality authorising the taking over of the management at the request of the mutt & the existence of any agreement or trust cannot take away that power. I see no reason to modify the orders already passed by Govt

Gpk 11/3

RS 16/3

For perusal & signature

15/3

AR 15/3 Done 16/3

NOTE—Contn. Sheet.

WD 70—GBPM—60,000—13-8-31

Muz Review 10 of 19

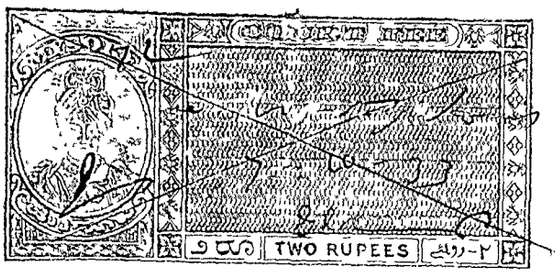
Muz File No. 252.

No 1540 dy 17.5.34 to The Advocate for the petitioners forwarding Copy of the decision in the Case.

No 1541 dy 17.5.34 to The Advocate for the Respondent Swamigalu forwarding Copy of the decision in the Muzrai Review referred to therein.

No 1542 dy 17/5/34 to The Muzrai Commissioner forwarding Copy of the decision in the Muzrai Case referred to therein

B
31/5



GENL. & REV. BRCH. 383 7 OCT 1933

Second Council. 9 OCT. 1933 No.

252-33-1. Recd 7/10/33 Submitted for perusal before being worked up.

BEFORE THE GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE, BANGALORE.

Reviewer

Muzrai | Petition No. 10 of 1933-34.

Petitioners:- 1. M.T.Naraniengar, Retired Professor of Mathematics, 20, Malleswaram, Bangalore.

2. V.A.Singracharlu, Retired Auditor, Mysore Railways, Ramavilas Agrahar, Mysore.

3. K.Sreenivasa Iyengar, Superintendent, Mandayam Students' Home, Ramavilas Agrahar, Mysore.

4. R.Tirunarana Iyengar, Retired Assistant Commissioner, Vontikoppal, Mysore.

Vs

Opponent:- All Trustees of the Yatiraja Matt at Melkote. His Holiness Sri Yedugiri Yatiraja Swamigalu of Melkote, now residing in the Yethirajamutt, East Tank Square, Triplicane, Madras.

Sampathkumara Ramanuja Jeeyar

* * * * *

The petitioners abovenamed most respectfully beg to present this Review Petition against the order of the Government, G.O. No. 187-19/M.F. 65-31-8, dated the 7th June, 1932, under Section 25 of the - Mysore Religious and Charitable Institutions Regulation

Regulation of 1927, directing the taking over of the management of the properties of the Yatiraja Math at Melkote on the application of His Holiness Sri Yadugiri Yatiraja Swamigalu, the Opponent herein, for the following among other reasons :-

1. The opponent is not competent to - make an application under Section 25 of the Mysore Religious and Charitable - Institutions Regulation, 1927, as he has no control over the properties and endowments of the Yatiraja Math at Melkote and consequently is not in a position to - place the management and possession of - the Math and its properties in the hands of the Government.

2. The opponent is only the Spiritual Head of the Math. According to the usage and practice of the Math, the management and control of the Math properties and endowments have vested in a body of trustees from a very long time. The successive Mathadhipatis have recognised and ratified this Trust. The Opponent has also with the consent of the disciples and donors of the Math executed a Registered Trust Deed dated 25-9-1921(a copy of which is hereto annexed for reference)wherein he has -

expressly

expressly recognised and confirmed the trust that has existed all along in respect of the Math properties and endowments. Under Section 25 of the Mysore Religious and Charitable Institutions Regulation 1927, the Opponent, - therefore, has no power or right to - place the properties of the Math under the management of the Government.

3. The Opponent has no power or right to cancel the said Ancient Trust or the Registered Trust Deed executed by him on 25-9-1921 by a unilateral declaration. He cannot cancel the ancient trust that is in existence in regard to the Math properties and endowments and that has been recognised and acted upon by a long succession of Mathadipathis of the Yatiraja Math. Nor has he any right or - power to cancel the Registered Trust - Deed dated 25-9-1921, which he has - voluntarily executed in recognition of the ancient trust and for the better - administration of the Math properties and endowments at the desire and with - the consent of the disciples and donors of the Math. Further the opponent has not reserved the right, if any, to revoke the trust deed.

4. In paragraph one of the said Trust Deed dated 25-9-1921, the Opponent has admitted that the properties of the Math are held in trust by some of the disciples or wellwishers of the Math and that the members of the Mandayam Srivaishnava community are the absolute beneficial owners of the same. The Opponent cannot therefore revoke the ancient trust or the registered trust deed without the consent of the said community and without the order of a competent principal Civil Court of Original Jurisdiction.

5. Though the Government were aware of the existence of the said ancient trust and the registered trust deed with regard to the properties and endowments of the Yatiraja Math, they have made an 'ex parte' and 'summary' (without enquiry) order for taking over the management of the Math properties without considering the existence of the ancient trust and the registered trust deed, and before the petitioners could submit their statement in answer to the application of the Opponent. The petitioners could not submit their statement of objections to the Opponent's petition as they had been making 'bona fide' -

attempts

attempts to bring about an amicable settlement out of Court. The petitioners have also brought this fact to the notice of the Government.

6. The petitioners have reason to think that the Government Order has been made on the assumption that the registered trust deed dated 25-9-1921 has been cancelled by the Opponent, and that there has been no other trust or trusts apart from the said trust deed. In his notice dated 21-4-1932(which is annexed hereto for reference of the Government) issued to the petitioners, the Opponent has nowhere stated that he has "cancelled" or "revoked" the trust deed executed by him. On the other hand he admits the existence and - validity of the trust deed, and only notifies the fact of his having"dissolved" the trust board from the date of the notice and calling upon the trustees to hand over charge to the Muzrai Commissioner in Mysore all monies, documents and properties of the Math in their possession. The said notice is also absolutely silent about the existence of the trust recognised by the usage and - practice of the Math and of special trusts for the performance of specific services in the Math elsewhere.

7. The Opponent has not made out any -

case against the petitioners, either for their removal, or for the cancellation of the ancient trust or the trust deed of 1921, or for Government management. The complaints of the Opponent against the petitioners, namely, non-fulfillment of the terms of the trust deed and mismanagement by the trustees are unfounded and are purely of a civil nature. Under the Mysore Religious - and Charitable Institutions Regulation 1927, the Government have no power to decide the dispute, mainly of a civil nature, between the opponent and the petitioners, but they should have - referred the opponent to a Civil Court for relief.

8. Some of the properties in the hands of the petitioners consist of special endowments made from time to time for certain specific services in the Math and elsewhere such as "Mil[illegible] Sevartham Fund", "Vairamudi Tadiyaradhanam Fund", "Tirunakshatram Fund" "Pongal", "Alankaram" and other Sevartham Fund, Sri Ramanujacharya Tirunakshatram Fund and Sri Yeggammal's Endowment. The donors of these endowments have conveyed them in trust to the Trustees and these properties are in their control and possession independently of the trust deed, dated 25-9-1921 executed by the Opponent.

The

The sum of Rs 6,500/- kept in Fixed Deposit in the Mysore Provincial Co-operative Apex Bank, Ltd., Bangalore City, is made up of two special endowments, viz., (i) the Vairamudi Ahadiyaradhanam Endowment of Rs 3275/- and (ii) Special Sevartham Endowment of Rs 3225/-. The first endowment was - made by fifteen donors thirty or forty years ago. The second has been made by seventyfive donors of the Nellore District, Madras Presidency, and the income derived from it is intended for the performances of special services on certain specified days of the year in the Sri Narayanaswami Temple at Melkote.

Neither the Swami, nor the Government, therefore, can take over the management and control of the aforesaid special endowments vested in the petitioners as trustees in total disregard of the special trusts thereof.

9. It is the accepted policy of the Government in regard to Maths that they should be guided as far as possible by the opinion of the community interested, or in the absence of such community, by the opinion of the majority of the -

disciples

disciples. The members of the Mandayam Srivaishnava Community who are interested in the Melkote Yatiraja Math as its beneficial owners are against Government - management of the Math, but are for the continuance of the long existing arrangement of Trust board management. If the Government were to take over the management against the almost unanimous opinion of the Mandayam Srivaishnava community and the donors and disciples of the Math, not only would the Math alienate their sympathy and goodwill but the harmonious relation between the Mathadipathis and the disciples would be jeopardised as well. Further, the management by a paid external agency would mean unnecessary and additional expenditure to the Math and also would not conduce to the best interests of the institution, while honorary and capable workers of devotion, wealth and status are available in the community and have been managing it in an efficient and satisfactory manner.

10. The present dispute between the petitioners and the opponent has arisen owing to differences with regard to the control of the income and expenditure of the Math. Without prejudice to their rights and -

duties

duties as trustees, the petitioners, in order to bring about an amicable settlement and to restore harmony and good relations, have been and are still willing, after deducting the expenses required to pay land revenue, municipal tax and other charges incidental to the administration of the trust properties, to hand over the net income from the trust properties to the Opponent for the purpose of utilising the same in accordance with the ~~kxmsxkx~~ trust usage and custom of the Math, subject to a guarantee of due performance of the services as per the said trust etc.

As a matter of fact, the Opponent has been at present receiving directly in violation of the terms of the trust deed executed by him, the following items of income, namely, --

1.	Muzrai Grant	- Rs 15- 1- 0	per mensem
2.	Palace Grant	- Rs 9- 0- 0	-do-
3.	Government Special grant	25- 0- 0	-do-
4.	Rent of Madras (house (about)	35- 0- 0	-do-
5.	Produce of wet lands (about)	10- 0- 0	-do-
	Total	- Rs 94- 1- 0	-do-

The investments in Banks, Government securities etc., which are mostly special endowments made for certain specific services in the Math and the temple at Melkote, stand in the names of the Trustees

Proceedings of the Government of His Highness
the Maharaja of Mysore.

18

e a d:-

Correspondence ending with letter, dated 5th May 1932 from the ---- Swamigalu of the Sri Yedugiri Yathiraja Mutt, Melkote, requesting that the management of the immoveable and moveable properties of the Mutt may be taken over by Government for a period of five years.

Letter No.295/31-32, dated the 9th April 1932 from the Muzrai Commissioner recommending that the Mutt properties may be taken under Govern t under Section 25 of the Mysore Religious and Charitable Endowments gulation, 1927, for a period of th ee years, in the first instance.

3. Further correspondence ending with Srimukha, dated 28th May 1932 rom the Swamigalu of the Sri Yathiraja Mutt.

Order No.1817-19/Muz.65-31-8

Dated Bangalore the 6/7th June 1932.

In accordance with the wishes of the Swamigalu of Sri Yadugiri --- Mairaja Mutt, the management of the properties of the Mutt will be take Government under Section 25 of Regulation VII of 1927 for a period of ree years in the first instance, as proposed by the Muzrai Commissione

The Muzrai Commissioner is requested to arrange early for the --- sumption of management and to submit a report regarding the properties ken over, their annual income and the charges to be met from it.

(Sd.) B. Muddukrishnappa,
For Financial Secretary to Government.

"C o p y"

For Muzrai Commissioner.

శ్రీ చంద్రశేఖరాయ నమః

శ్రీమదుగిరి యతిరాజ చరణ
మేలుపేరుగల్ల శ్రీనివాస తిరుమాళిగ
గం యమూ ప్రేరచేసి
ముగిసినూరి రాజగోపాలు

స్థానం చిలుకలేటి
21-4-1932

శ్రీమత్పరమ హంసోపాధ్యాయ శ్రీమత్
రాజ గ్రామణిగళచార్యు - శ్రీచరణ కృపానిధి
చూడితిన నేత్రోత్సవం చరణాబ్ద శ్రీచరణ
శ్రీ. చి. నరసింహయ్యంగారిగళ తిరుమంత్ర
ప్రతిపత్తి చదివి నందరగా :-

నాచే 1926 నేమిసి చిమ్మిల్లి లుత్తరదళ్
శదయత్రేయమన్ను శ్రీశశి నచట్టి వేశకట్టిద
శ్రీ శ్రీ మతదవర్చ్యలుగళు పరిపంచరంగి
నడెయుచదళ్లి శ్రీమతదన్నెర్మ్మ గళదల్లి
శృంగేరి పీఠ్రచర్య చచరణాంనగళన్ను రా
శాలాశాలగళ్లి కూళు మాసి చుదరంల్లి జనస్థా
ళిగే అనంతరూ లుగనగళన్ను రంజిసు చదరంల్లి
వైదుజనగళగే మిఁలిద వీంజొయి తరుళ
చందు ప్రేమాలంయన్ను రేఖ్చి కృపేయ ఠోరిసిం
గానవనన్ను విశేషవాగి చేయలు ప్రేరిసిద శ్రీ
చరణరిగే నాచే చదేశాంతరదల్లి వద్ద
శాలదల్లి అంయు యిలిబి నే 1926 నే సాలిన బళి
శాంగళల్లి అయు చోటగళ్లి సంచరిసి బరువ
దరల్లి ఇరువ. దలు రూపి చరణు శాలాశాలగళ్లి
నిల్లిసిద దానిక్షేపగళ్లన్ను చలిసి ఇతర శేషాంశ
గళ్ల కొయ్యుటకు ఈ నాగళన్ను రంజిసు
త్తిద దినదల్లి అవు గళన్ను నోడి సంతోషవు
అవర్ణనీయవన్నిసిదరు ఇదరిం
చాలు ఎంచే లిదా గ్రంథ

ಶ್ರೀಯದುಗಿರಿ

ಯತಿರಾಜಸ್ವಾಮಿಗಳವರು

ಶಿಷ್ಯರುಗಳಿಗೆ ಅನುಗ್ರಹಿಸಿರುವ

(ನ್ಯಾಸರಕ್ಷಕಸಭಾ ನಿರ್ಮಾಣ ವಿಷಯಕವಾದ)

ಶಾಸನ

[ಈ ಶಾಸನವು ಶ್ರೀಶ್ರೀ ಸ್ವಾಮಿಗಳವರ ಅಧ್ಯಕ್ಷತೆಯಲ್ಲಿ
೧೯೩೧ನೆಯ ಸಂವತ್ಸರ ಮಲ್ಲೇಶ್ವರದಲ್ಲಿ ನಡೆದ ಶಿಷ್ಯರುಗಳ
ಸಭೆಯ ಪ್ರೊಸೀಡಿಂಗ್ಸನ್ನು ಅನುಸರಿಸಿ ಇರುತ್ತೆ.]

1931

ಶ್ರೀ ಯತಿರಾಜ ಮಠದ
(ನ್ಯಾಸರಕ್ಷಕಸಭಾ ವಿಷಯಕವಾದ)
ಶಾ ಸ ನ

ಶ್ರೀಃ

ಶ್ರೀಮತೇ ರಾಮಾನುಜಾಯ ನಮಃ.

ಶ್ರೀಮದ್ವೇದಮಾರ್ಗಪ್ರತಿಷ್ಠಾಪನಾಚಾರ್ಯೋಭಯವೇದಾಂತ ಪ್ರವರ್ತಕರಾಗಿಯೂ, ಶ್ರೀಮತ್ಪರಮಹಂಸ ಪರಿವ್ರಾಜಕಾಚಾರ್ಯರಾಗಿಯೂ, ಶ್ರೀಮದ್ವಿಶಿಷ್ಟಾದ್ವೈತಸಿದ್ಧಾಂತ ನಿರ್ಧಾರಣಧುರಂಧರರಾಗಿಯೂ ಮೈಸೂರು ಡಿಸ್ಟ್ರಿಕ್ಟ್ ಫ್ರೆಂಚೆರಾಕ್ಸ್ ಸಬ್ ತಾಲ್ಲೂಕು ಮೇಲುಕೋಟೆ ಶ್ರೀ ಯದುಗಿರಿ ಯತಿರಾಜಮಠದ ಪೀಠವನ್ನಲಂಕರಿಸಿರುವ ಶ್ರೀ ಯದುಗಿರಿ ಯತಿರಾಜ ಸಂಪತ್ಕುಮಾರ ರಾಮಾನುಜ ಜೀಯರ್ ಸ್ವಾಮಿಗಳವರು (ಪೂರ್ವಾಶ್ರಮದಲ್ಲಿ ವಿದ್ವಾನ್ ಆಸೂರಿ ಅನಂದಾಳ್ವಾರ್ ಸ್ವಾಮಿಗಳವರು) ಶ್ರೀಮಠದ ಶಿಷ್ಯರ ಮತ್ತು ಅಭಿಮಾನಿಗಳ ಪ್ರಾರ್ಥನಾನುಸಾರ ಅನುಗ್ರಹಿಸಿದ ಶಾಸನ ಕ್ರಮವೇನಂದರೆ:—

ನಮ್ಮ ಆಶ್ರಮಸ್ವೀಕಾರಕಾಲದಲ್ಲಿ ಶಿಷ್ಯರುಗಳು ಮತ್ತು ಅಭಿಮಾನಿಗಳು ಸೇರಿ ಶ್ರೀಮಠದಲ್ಲಿ ಗುರುಪರಂಪರಾ ಕ್ರಮವಾಗಿ ನಡೆದುಕೊಂಡುಬರುವ ಶ್ರೀ ಲಕ್ಷ್ಮೀನರಸಿಂಹಸ್ವಾಮಿ, ಶ್ರೀಶೆಲ್ವಪಿಳ್ಳೈ ಇವರುಗಳ ತಿರುವಾರಾಧನ, ನಿತ್ಯತದೀಯಾರಾಧನ, ಉಭಯವೇದಾಂತ ಕಾಲಕ್ಷೇಪ ಮುಂತಾದವುಗಳನ್ನು ಸಾಂಗವಾಗಿ ನೆರವೇರಿಸಿಕೊಂಡು ಬರುವದಕ್ಕೂ ಶ್ರೀಮಠದ ಕಾರ್ಯಗಳು ಉತ್ತರೋತ್ತರ ಸಾರೋದ್ಧಾರವಾಗಿ ನಡೆಯುವದಕ್ಕೂ ಶಾಶ್ವತವಾದ

Stamp-Vendor's Nos. 1509 to 1511.

ಮೇಲುಕೋಟೆ ಶ್ರೀಯದುಗಿರಿ ಯತಿರಾಜಮಠವನ್ನು ಅಲಂಕರಿಸಿರುವ, ಶ್ರೀ ಯತಿರಾಜ ಸಂಪತ್ಕುಮಾರ ರಾಮಾನುಜ ಜೀಯರ್ ಸ್ವಾಮಿಗಳವರಿಗೆ.

ಹದಿನೈದು ರೂಪಾಯಿ ಸ್ಟ್ಯಾಂಪು ಪೇಪರ್ ಹಾಜರ್ ಇಲ್ಲವಾದ್ದರಿಂದ 7-8-0 ಮತ್ತು 3-8-0 ಮತ್ತು 4-0-0 ಈ ಮೂರನ್ನು ಜಂಟಿ ಕೊಟ್ಟಿದೆ.

ತಾ॥ 23-9-1931 (Sd) ಶಂಕರಪ್ಪ, ಚಿಕ್ಕಪೇಟೆ, ಬೆಂಗಳೂರು ಸಿಟಿ.

ಏರ್ಪಾಡನ್ನು ಮಾಡಬೇಕೆಂದು ನಮ್ಮಲ್ಲಿ ತೀರ್ಮಾನವಾಗಿದೆ. ಆ ದಿವಸ ನಾವು ಈ ಕೆಳಗೆ ಕಂಡಂತೆ ನಿರೂಪವನ್ನು ಅಪ್ಪಣೆ ಕೊಟ್ಟಿದ್ದೇವೆ.

1. ತತ್ಕಾಲದಲ್ಲಿ ಶ್ರೀಮಠಕ್ಕೆ ಸೇರಿರುವ ಚರ ಸ್ಥಿರಸ್ವತ್ತುಗಳಿಗೆ ಯಾವತ್ತೂ ವಂಶಪಾರಂಪರ್ಯವಾಗಿ ಶ್ರೀಮಠದ ಶಿಷ್ಯರಾಗಿಯೋ ಅಥವಾ ಅಭಿಮಾನಿಗಳಾಗಿಯೋ ಇದ್ದು ಶ್ರೀಮಠದ ಸಂಪ್ರದಾಯವನ್ನು ತಿಳಿದು ತತ್ಪರಿಪಾಲಕರಾಗಿ ಇರುವ ಮಂಡಯಂ ಸಮುದಾಯದವರ ಮೂಲಕವಾಗಿಯೇ ಶ್ರೀಮಠಕ್ಕೆ ಸೇರಿ, ಈಗಲೂ ಇವರಿಂದಲೇ ರಕ್ಷಿಸಲ್ಪಡುತ್ತಾ ಇರುವುದರಿಂದ, ಈ ಮಂಡಯಂ ಸಮುದಾಯದವರೇ ಶ್ರೀಮಠದ ಸರ್ವಸ್ವಾತಂತ್ರ್ಯವುಳ್ಳವರಾಗಿರುವುದರಿಂದಲೂ ಉತ್ತರೋತ್ತರ ಮೇಲ್ಕಂಡ ಸಮುದಾಯದವರೇ ಪೂರ್ವಸಂಪ್ರದಾಯಪರಿಪಾಲನಾರ್ಥವಾಗಿ ಸ್ವಸಮುದಾಯದಲ್ಲಿ ಯೋಗ್ಯರಾದವರಿಗೆ ಸನ್ಯಾಸಾಶ್ರಮವನ್ನು ಕೊಡಿಸಿ ಶ್ರೀಮಠದ ಸರ್ವಕಾರ್ಯಗಳನ್ನು ನಿರ್ವಹಿಸುವುದಕ್ಕೆ ಸ್ವತಂತ್ರಾಧಿಕಾರಿಗಳಾಗಿರತಕ್ಕದ್ದು.

2. ಶ್ರೀಮಠದ ಆಡಳಿತಗಳನ್ನು ಪರಾಮರ್ಶಿಸಲು ಮಂಡಯಂ ಸಮುದಾಯಕ್ಕೆ ಸೇರಿದ ಐದು ಜನಗಳು ನ್ಯಾಸರಕ್ಷಕರಾಗಿ (ಟ್ರಸ್ಟಿಗಳಾಗಿ)ರತಕ್ಕದ್ದು. ಇವರಲ್ಲೊಬ್ಬರು ಕೋಶಾಧ್ಯಕ್ಷರಾಗಿಯೂ, ಒಬ್ಬರು ಕಾರ್ಯದರ್ಶಿಗಳಾಗಿಯೂ ಇರತಕ್ಕದ್ದು. ಮೂರು ವರ್ಷಕ್ಕೆ ಒಂದಾವರ್ತಿ ಈ ನ್ಯಾಸರಕ್ಷಕರಲ್ಲೊಬ್ಬರು ಚೀಟಿ ಪ್ರಕಾರ (ಬಾಲಟ್‌ಪ್ರಕಾರ) ನಿವೃತ್ತರಾಗತಕ್ಕದ್ದು. ಹಾಗೆ ನಿವೃತ್ತರಾದವರು ತಿರಿಗಿ ನ್ಯಾಸರಕ್ಷಕರಾಗಿ ಆರಿಸಲ್ಪಡಬಹುದು ಹೀಗೆ ಬಿಡತಿಯಾದ ಸ್ಥಾನಕ್ಕೆ ಮಂಡಯಂ ಸಮುದಾಯದಲ್ಲಿ ಒಬ್ಬರನ್ನು ಮಿಕ್ಕ ನ್ಯಾಸರಕ್ಷಕರು ಏರ್ಪಾಡುಮಾಡಿಕೊಳ್ಳತಕ್ಕದ್ದು.

3. ಮೂರುವರ್ಷಗಳೊಳಗೆ ನ್ಯಾಸರಕ್ಷಕಸಭೆಯಲ್ಲಿ (ಟ್ರಸ್ಟ್‌ಬೋರ್ಡಿನಲ್ಲಿ) ಯಾರೊಬ್ಬರ ಸ್ಥಾನವು ಬಿಡತಿಯಾದಾಗ್ಯೂ ಸಭೆಯವರು ಮಂಡಯಂ ಸಮುದಾಯದಲ್ಲಿ ಮತ್ತೊಬ್ಬರನ್ನು ಆ ಸ್ಥಾನಕ್ಕೆ ಮಿಕ್ಕ ಅವಧಿ ಕಾಲಕ್ಕೆ ಏರ್ಪಡಿಸತಕ್ಕದ್ದು.

4. ಎರಡು ಮೂರನೇ ನಿಯಮಗಳ ಪ್ರಕಾರ ಹೊಸಬರನ್ನು ನ್ಯಾಸರಕ್ಷಕ ಸಭೆಯವರು ಆರುತಿಂಗಳೊಳಗೆ ಏರ್ಪಡಿಸದೇ ಹೋದರೆ, ಶ್ರೀ ಸ್ವಾಮಿಗಳವರು ಸಮುದಾಯದಲ್ಲೊಬ್ಬರನ್ನು ನಿಯಮಿಸಬೇಕು.

5. ಶ್ರೀಮಠಕ್ಕೆ ಈಗ ಸೇರಿರುವ ಮತ್ತು ಮುಂದೆ ಸೇರುವ ಚರಸ್ಥಿರಸ್ವತ್ತುಗಳನ್ನು ಸಂರಕ್ಷಿಸಲು ಮೇಲ್ಕಂಡ ಸಭೆಯವರೇ ಬಾಧ್ಯರಾಗಿರುತ್ತಾರೆ.

6. ಶ್ರೀಮಠದಲ್ಲಿ ನಿತ್ಯತದೀಯಾರಾಧನ ಮತ್ತು ಕೈಂಕರ್ಯಪರರ ವೇತನ ಮುಂತಾದುವುಗಳಿಗೆ ಪ್ರತಿ ತಿಂಗಳಲ್ಲಿಯೂ ಇನ್ನೂರು ರೂಪಾಯಿಗಳಿಗೆ ಕಡಿಮೆಯಿಲ್ಲದೆ ಬೇಕಾಗುವುದೆಂದೂ, ಅದಕ್ಕಾಗಿ ಮೂಲಧನವನ್ನು ಆರ್ಜನೆಮಾಡಬೇಕೆಂದೂ, ಅಶ್ರಮಸ್ವೀಕಾರಕಾಲದಲ್ಲಿ ಶ್ರೀಮಠದ ಶಿಷ್ಯರೂ ಅಭಿಮಾನಿಗಳೂ ಸೇರಿ ನಿಶ್ಚಯಿಸಿರುತ್ತಾರೆ. ನ್ಯಾಸರಕ್ಷಕ ಸಭೆಯವರು ಈ ಮೂಲಧನವನ್ನು ಶೇಖರಿಸಲು ಪ್ರಯತ್ನಿಸಿ ಶೇಖರವಾದ ಧನವನ್ನು ಸಂರಕ್ಷಿಸಲು ತಕ್ಕ ಏರ್ಪಾಡನ್ನು ಮಾಡುವದಲ್ಲದೆ ಮೂಲಧನವನ್ನು ಉತ್ತರೋತ್ತರ ವೃದ್ಧಿಪಡಿಸುವುದಕ್ಕೂ ಯತ್ನಿಸತಕ್ಕದ್ದು

7. ಮೂಲಧನಕ್ಕೆ ಸಹಕರಿಸುವ ಮಹನೀಯರು ಸಹಕರಿಸುವ ವೇಳೆಯಲ್ಲಿ ಸೂಚಿಸತಕ್ಕ ಉದ್ದೇಶಗಳನ್ನು ಅನುಸರಿಸಿಯೇ ಅವರವರ ಸಹಾಯದ್ರವ್ಯವನ್ನು ಟ್ರಸ್ಟ್ ಆಕ್ಟಿಗೆ ವಿರೋಧವಿಲ್ಲದ ರೀತಿಯಲ್ಲಿ ಸಂರಕ್ಷಿಸಿ ಅದರ ವರಮಾನವನ್ನು ವಿನಿಯೋಗಿಸಲು ಸಭೆಯವರು ಬದ್ಧರಾಗಿರುತ್ತಾರೆ.

8. ಶ್ರೀಮಠದ ಆದಾಯ ವ್ಯಯ ವಿಷಯವಾದ ಆಡಳಿತಗಳೆಲ್ಲವೂ ಸಭೆಯವರ ಅಭಿಪ್ರಾಯದಂತೆ ನಡೆಯತಕ್ಕದ್ದು. ಸಭೆಯ ಅಭಿಪ್ರಾಯವನ್ನು ಸಾಕ್ಷಾತ್ತಾಗಿಯಾಗಲಿ, ಪತ್ರಿಕಾಮುಖವಾಗಿಯಾಗಲಿ ತಿಳಿದು ಬಹು ಸಂಖ್ಯೆಯ ಅಭಿಪ್ರಾಯದಂತೆ ಎಲ್ಲಾ ಕೆಲಸವನ್ನೂ ಕಾರ್ಯದರ್ಶಿಗಳು ನಡೆಸತಕ್ಕದ್ದು. ಪತ್ರಿಕಾಮುಖೇನ ವಿಷಯ ವ್ಯವಸ್ಥೆಯಾಗದಪಕ್ಷದಲ್ಲಿ ಸಭೆಯವರು ಏಕತ್ರ ಸೇರಿ ಸಾಕ್ಷಾತ್ತಾಗಿ ತೀರ್ಮಾನಿಸತಕ್ಕದ್ದು.

9. ಮೂಲಧನದಿಂದ ಉತ್ಪತ್ತಿಯಾಗುವ ವರಮಾನವನ್ನಾಗಲಿ ವೃದ್ಧ್ಯಂಶವನ್ನಾಗಲಿ ಸಭೆಯವರು ಉಪಯೋಗಿಸತಕ್ಕದೇ ಹೊರತು, ಮೂಲಧನವನ್ನು ಉಪಯೋಗಿಸಲು ಇವರಿಗೆ ಅಧಿಕಾರವಿರುವುದಿಲ್ಲ.

10. ಇನ್ನುಮುಂದೆ ಶೇಖರವಾಗುವ ಮೂಲಧನದ ಸೊತ್ತಿದಲ್ಲಿ ಹತ್ತರಲ್ಲೊಂದು ಭಾಗವನ್ನು ಅನಿವಾರ್ಯ ಸಂದರ್ಭಗಳ ಉಪಯೋಗ

ಕ್ಕೋಸ್ಕರ ಪ್ರತ್ಯೇಕ ಧನವಾಗಿ (ರಿಸರ್ವ್ ಫಂಡಾಗ್ಗೆ ಧನದ ವೃದ್ಧ್ಯಂಶವು ಸಾಲದೆ-ಮೂಲಧನವನ್ನೇ : ಉ ನ್ಯಾಸರಕ್ಷಕರ ಏಕಮತವು ಆವಶ್ಯಕವಾಗಿರುತ್ತೆ.

11. ಮೇಲ್ಕಂಡ ರೀತಿಯಲ್ಲಿ ಮೂಲಧನದಿಂದ ಬರತಕ್ಕ ಉತ್ಪತ್ತಿಯನ್ನು ಕಾರ್ಯದರ್ಶಿಗಳು ಆಗಿಂದಾಗ್ಗೆ ಶ್ರೀಮಠದಲ್ಲಿ ಆಗಬೇಕಾದ ಖರ್ಚಿಗಾಗಿ ಶ್ರೀ ಸ್ವಾಮಿಗಳವರಲ್ಲಿ ಒಪ್ಪಿಸತಕ್ಕದ್ದು. ಖರ್ಚು ಕಳೆದು ಉಳಿಯುವ ಉತ್ಪತ್ತಿಯನ್ನು ಪ್ರತ್ಯೇಕಿಸಿಟ್ಟಿರುವ ಮೂಲಧನಕ್ಕೆ ಸೇರಿಸತಕ್ಕದ್ದು.

12. ಶ್ರೀಮಠದಲ್ಲಿ ಸರಿಯಾದ ಲೆಕ್ಕವನ್ನಿಡಲು ಸಭೆಯವರೆ ಏರ್ಪಾಡು ಮಾಡಬೇಕು ಶ್ರೀಮಠದ ಲೆಕ್ಕವನ್ನು ಪರೀಕ್ಷಿಸಲು ಪ್ರತಿ ಯೊಬ್ಬ ನ್ಯಾಸರಕ್ಷಕರಿಗೂ ಅಧಿಕಾರವುಂಟು. ಲೆಕ್ಕವನ್ನು ಪ್ರತಿವರ್ಷವೂ ಆಡಿಟ್‌ಮಾಡಿಸಿ ಪ್ರಕಟಿಸಬೇಕು.

13 ಶ್ರೀಮಠದ ಕೆಲಸಗಳನ್ನು ನಿರ್ವಹಿಸುವದಕ್ಕೆ ಆಪ್ತರಾದ ಕೆಲವು ಸಹಾಯಕರನ್ನು ಏರ್ಪಡಿಸಲು ಶ್ರೀ ಸ್ವಾಮಿಗಳವರು ಸ್ವತಂತ್ರರಾಗಿರುತ್ತಾರೆ. ಇವರಲ್ಲೊಬ್ಬರು ಶ್ರೀಮಠದ ಸರ್ವಾಧಿಕಾರಿಯೂ, ಒಬ್ಬರು ಶ್ರೀಕಾರ್ಯಕರ್ತರಾಗಿಯೂ ಇರತಕ್ಕದ್ದು.

14. ಶ್ರೀಮಠದ ಕೈಂಕರ್ಯಪರರನ್ನು ಏರ್ಪಡಿಸುವದಕ್ಕೂ, ನಿವರ್ತಿಸುವದಕ್ಕೂ ಶ್ರೀ ಸ್ವಾಮಿಗಳವರೇ ಸ್ವತಂತ್ರರಾಗಿರುತ್ತಾರೆ.

15, ಶ್ರೀ ಸ್ವಾಮಿಗಳವರು ಶ್ರೀಪಾದತೀರ್ಥಕಾಣಿಕೆಯನ್ನು ತಮ್ಮ ಇಷ್ಟಾನುಸಾರ ವಿನಿಯೋಗಿಸಬಹುದು.

16. ಶ್ರೀ ಸ್ವಾಮಿಗಳವರ ಸಂಚಾರಕಾಲದಲ್ಲಿ ಉತ್ಪತ್ತಿಯಾಗುವ ಮೊಬಲಗಿನಲ್ಲಿ ಖರ್ಚನ್ನು ಕಳೆದು ಉಳಿಯುವ ಮೊತ್ತವು ಮೂಲಧನಕ್ಕೆ ಸೇರತಕ್ಕದ್ದು.

17. ಮೇಲ್ಕಂಡ ಎರಡನೆಯ ನಿಯಮಕ್ಕನುಸಾರವಾಗಿ ಶ್ರೀಮಾ ದಿವಾ ಬಹದೂರ್ ಮ|| ಆ|| ಪಾರ್ಥಸಾರಥ್ಯೆಯ್ಯಂಗಾರ್,

ಶ್ರೀಮಾ ರಾವ್‌ಬಹದೂರ್ ರಾ|| ಆ|| ನರಸಿಂಹಾಚಾರ್ಯರು, ಶ್ರೀಮಾ ರಾಯ್ ಸಾಹೇಬ್ ರಾ|| ಆ|| ಶ್ರೀನಿವಾಸಯ್ಯಂಗಾರ್, ಶ್ರೀಮಾ ನು|| ಆ|| ನಾರಾಯಣಯ್ಯಂಗಾರ್, ಶ್ರೀಮಾ ಮು|| ತೊ|| ನಾರಣಯ್ಯಂಗಾರ್, ಈ ಐದು ಜನಗಳನ್ನು ನ್ಯಾಸರಕ್ಷಕರನ್ನಾಗಿ ಏರ್ಪಡಿಸಿ ಇವರಿಗೆ ಶ್ರೀಮಠದ ವಿಶಿಷ್ಟಸ್ವತ್ತುಗಳನ್ನು ವಹಿಸಿರುತ್ತೇವೆ. ಇವರಲ್ಲಿ ಶ್ರೀಮಾ ರಾ|| ಆ|| ನರಸಿಂಹಾಚಾರ್ಯರು ಕೋಶಾಧ್ಯಕ್ಷರಾಗಿಯೂ, ಶ್ರೀಮಾ ಮು|| ತೊ|| ನಾರಣಯ್ಯಂಗಾರ್ಯರು ಕಾರ್ಯದರ್ಶಿಗಳಾಗಿಯೂ ಇರತಕ್ಕದ್ದು.

18. ಈ ಐದುಮಂದಿ ನ್ಯಾಸರಕ್ಷಕರು ಇನ್ನುಮುಂದೆ ಶ್ರೀಮಠದ ಎಲ್ಲಾ ಆಡಳಿತಗಳನ್ನೂ ಈ ಶಾಸನಕ್ಕನುಗುಣವಾಗಿ ನಡೆಸಿಕೊಂಡು ಬರತಕ್ಕದ್ದು.

19. ಈ ನಿಯಮಗಳಿಗೆ ವಿರೋಧವಿಲ್ಲದಂತೆ ಶ್ರೀ ಮಠದ ಅಭಿವೃದ್ಧಿಗೆ ಬೇಕಾಗುವ ಎಲ್ಲಾ ಕೆಲಸಗಳನ್ನು ನಡೆಸಲು ಮೇಲ್ಕಂಡ ನ್ಯಾಸರಕ್ಷಕ ಸಭೆಯವರು ಸ್ವತಂತ್ರಾಧಿಕಾರಿಗಳಾಗಿರತಕ್ಕದ್ದು.

20. ಶ್ರೀ ಸ್ವಾಮಿಗಳವರ ಅನುಮತಿಯೊಡನೆ ಈ ಶಾಸನದ ಉದ್ದೇಶಗಳನ್ನು ತೃಪ್ತಿಕರವಾಗಿ ನೆರವೇರಿಸಲು ಮೇಲ್ಕಂಡ ನಿಯಮಗಳೊಳಗೆ ಆಗಿಂದಾಗ್ಗೆ ತೋರಿಬರುವ ಮಾರ್ಪಾಡುಗಳನ್ನು ಮಾಡುವುದಕ್ಕೂ, ಮತ್ತು ಈ ಶಾಸನಕ್ಕನುಗುಣವಾದ ಒಳನಿಯಮಗಳನ್ನು (ರೂಲ್ಸುಗಳನ್ನು) ಏರ್ಪಡಿಸುವುದಕ್ಕೂ ನ್ಯಾಸರಕ್ಷಕ ಸಭೆಗೆ ಅಧಿಕಾರವುಂಟು.

ಷೆಡ್ಯೂಲ್

1. ಬೆಂಗಳೂರು ಸಿಟಿ ಮಲ್ಲೇಶ್ವರದ ಸಂಪಿಗೆ ರಸ್ತೆಯಲ್ಲಿರುವ ಖಾಲೀನಿವೇಶನಕ್ಕೆ ಚಕ್ಕುಬಂದಿ:—ಪೂರ್ವ–ಸಂಪಿಗೆ ರೋಡು, ಪಶ್ಚಿಮ–ಕ್ವೀನ್ಸ್ ರೋಡು, ದಕ್ಷಿಣ–ರಸ್ತೆ, ಉತ್ತರ–ಹಳ್ಳ, ಈಮಧ್ಯೆ ಇರುವ ಪೂರ್ವ–ಪಶ್ಚಿಮ, ಅಡಿ ನೂರು (100), ದಕ್ಷಿಣೋತ್ತರ ಅಡಿ ಇನ್ನೂರನಲವತ್ತು (240) ಉಳ್ಳದ್ದು.

2. ಮೈಸೂರು ಡಿಸ್ಟ್ರಿಕ್ಟ್ ಶ್ರೀರಂಗಾರಾಕ್ಟ್ ಸಬ್ ಕೋಟೆಯಲ್ಲಿರುವ ಶ್ರೀ ಯತಿರಾಜಮಠಕ್ಕೆ ಚಕ್ಕುಬರದಿರುವ ಹಟ್ಟಿ ಮತ್ತು ಸಿಂಗ್ಲಾಚಾರ್ರ ಮನೆ, ಪಶ್ಚಿಮ–ಬೀದಿ, ದಕ್ಷಿಣ–ತಿರು ಓಣಿ, ಉತ್ತರ–ದೇವಸ್ಥಾನಖಾಲಿಜಾಗ.

3. ಡಿಟೊ ಮೇಲುಕೋಟೆಯಲ್ಲಿ ಶ್ರೀ ಯತಿರಾಜಮಠಕ್ಕೆ ದ ಭಾಗದ ಅಂಗಮಣಿ ಮಂಟಪದ ಮೇಲುಭಾಗದ ಮಂಟಪ, ಆರು ಅಂಕಣ್ ಇದಕ್ಕೆ ಸೇರಿದ ಖಾಲೀನಿವೇಶನ.

4. ಡಿಟೋ ಮೇಲುಕೋಟೆಯಲ್ಲಿ ಉತ್ತರದಿಕ್ಕಿನ ಹಳೇಕೋಟೆ ಪಕ್ಕದಲ್ಲಿರುವ ಸರ್ವೇ ನಂಬರು ಎಪ್ಪತ್ತಾರನೇ, ಗುಂಟೆ ಹದಿನೆಂಟು, ಆಕಾರ ಒಂದು ರೂಪಾಯಿ ಉಳ್ಳ ಜಮೀನಿಗೆ ಚಕ್ಕುಬಂದಿ: ಪೂರ್ವ ಗೋಮಾಳ, ಪಶ್ಚಿಮ ರಸ್ತೆ, ಉತ್ತರ ಸಂತೇಬೈಲು, ದಕ್ಷಿಣ ಕೋಟೆ

5 ಡಿಟೋ ಮೇಲುಕೋಟೆಯಲ್ಲಿ ಮೇಲುಬೀದಿಯಲ್ಲಿರುವ ಮನೆಗೆ ಚಕ್ಕುಬಂದಿ:—ಪೂರ್ವ- ರಸ್ತೆ, ಪಶ್ಚಿಮ – ಅಂಣುಕಟ್ಟೆ, ದಕ್ಷಿಣ ಮತ್ತು ಉತ್ತರ–ಓಣಿ.

6 ಶ್ರೀರಂಗಪಟ್ಣದ ಸಬ್ ರಿಜಸ್ಟ್ರಾರ್ ಆಫೀಸು ಒಂದನೇ ಬುಕ್ಕು ಇನ್ನೂರನೂವತ್ತೇಳನೇ ವಾಲ್ಯೂಂ ಮುನ್ನೂರೈವತ್ತೆರಡರ ಲಾಗಾಯಿತು ಮುನ್ನೂರೈವತ್ತೈದರವರೆಗಿನ ಪುಟಗಳಲ್ಲಿ ಒಂದುಸಾವಿರದ ಮುನ್ನೂರ ನಲವತ್ತೆರಡನೆ ನಂಬರಾಗಿ 12-3-1912 ರಲ್ಲು ರಿಜಸ್ಟರಾಗಿರುವ ದಸ್ತೆವಜಿನಲ್ಲಿ ಕಂಡ ತರೀಜವಿನಾನು.

7. ಮೈಸೂರು ಡಿಸ್ಟ್ರಿಕ್ಟ್ ಮಳವಳ್ಳಿ ತಾಲ್ಲೂಕು ಅಂಣೆಹಾಗಲಹಳ್ಳಿ ವೃತ್ತಿಪೈಕಿ ಕಂಚಿ ತಿರುವೆಂಕಟಾಚಾರ್ರು ಮತ್ತು ಆವರ ತಮ್ಮಂದಿರಿಬ್ಬರಿಂದಲೂ ಮತ್ತು ನಾಟಂಪಳ್ಳಿ ಶ್ರೀನಿವಾಸಯ್ಯಂಗಾರ್ರಿಂದಲೂ ಶ್ರೀಮಠಕ್ಕೆ ದಾನವಾಗಿ ಕೊಟ್ಟ ವೃತ್ತಿಭಾಗ.

8. ಮೈಸೂರು ಡಿಸ್ಟ್ರಿಕ್ಟ್ ತಿ|| ನರಸೀಪುರದ ಸಬ್ ರಿಜಸ್ಟ್ರಾರವರ ಆಫೀಸ್ ಒಂದನೇ ಬುಕ್ಕು 479 ನೇ ವಾಲ್ಯೂಂ 300 ರ ಲಾಗಾಯಿತು

ವರೆವರಿಗಿನ ಪುಟಗಳಲ್ಲಿ 12-1-1917 ರಲ್ಲು ರಿಜಸ್ಟರಾಗಿರುವ 1626ನೇ ನಂಬರ್ ದಸ್ತ್ರೈವಜಿನಲ್ಲಿ ಕಂಡ ತರೀಜಮಾನುಗಳು.

9 ಡಿಟೋ ಸಬ್ ರಿಜಸ್ಟ್ರಾರ್ರವರ ಆಫೀಸು 1ನೇ ಬುಕ್ಕು 482 ನೇ ವಾಲ್ಯೂಂ 48 ರ ಲಾಗಾಯಿತು 53 ರವರೆಗಿನ ಪುಟಗಳಲ್ಲಿ 12-1-1907 ರಲ್ಲು ರಿಜಸ್ಟರಾಗಿರುವ 16_5 ನೇ ನಂಬರು ದಸ್ತ್ರೈವಜಿನಲ್ಲಿ ಕಂಡ ತರೀ ಜಮಾನುಗಳು

10. ಹಾಸನ ಡಿಸ್ಟ್ರಿಕ್ಟು ಬೇಲೂರು ಸಬ್ ರಿಜಸ್ಟ್ರಾರವರ ಆಫೀಸು 1ನೇ ಬುಕ್ಕು 48 ನೇ ವಾಲ್ಯೂಂ 350ರ ಲಾಗಾಯಿತು 353 ರವರೆಗಿನ ಪುಟ ಗಳಲ್ಲಿ 9-4-1906 ರಲ್ಲಿ 444 ನೇ ನಂಬರಾಗಿ ರಿಜಸ್ಟರಾಗಿರುವ ದಸ್ತ್ರೈವಜಿ ನಲ್ಲಿ ಕಂಡ ಮಠ ಹಿತ್ತಲು ಎಗ್ಗೆರೆ.

11. ಡಿಟೋ ಸಬ್ ರಿಜಸ್ಟ್ರಾರ್ ಆಫೀಸು 1ನೇ ಬುಕ್ಕು 49ನೇ ವಾಲ್ಯೂಂ 136 ರ ಲಾಗಾಯಿತು 141 ರವರೆಗಿನ ಪುಟಗಳಲ್ಲಿ 9-4-1906 ರಲ್ಲು 443ನೇ ನಂಬರಾಗಿ ರಿಜಸ್ಟರಾಗಿರುವ ದಸ್ತ್ರೈವಜಿನಲ್ಲಿ ಕಂಡ ಹಿತ್ತಲು, ಗದ್ದೆ

12. ಡಿಟೋ ಸಬ್ ರಿಜಸ್ಟ್ರಾರ್ ಆಫೀಸು 1ನೇ ಬುಕ್ಕು 102ನೇ ವಾಲ್ಯೂಂ 274 ರ ಲಾಗಾಯಿತು 281 ರವರಿಗಿನ ಪುಟಗಳಲ್ಲಿ 17-3-1917 ರಲ್ಲು 653ನೇ ನಂಬರಾಗಿ ರಿಜಸ್ಟರಾಗಿರುವ ದಸ್ತ್ರೈವಜಿನಲ್ಲಿ ಕಂಡ ಹಿತ್ತಲು.

13. ರೀವಾ ಸಂಸ್ಥಾನಕ್ಕೆ ಸೇರಿದ ಗೋವಿಂದಗಡದಲ್ಲಿರುವ ಶ್ರೀ ಯತಿರಾಜಮಠ ಮತ್ತು ತೋಟ.

14. ಬೆಂಗಳೂರಲ್ಲಿರುವ ಶ್ರೀಮ್ಮಾ ಎಂ. ಎ. ನಾರಾಯಣಯ್ಯಂಗಾರ್ ಶ್ರೀಮ್ಮಾ ಎಂ. ಟಿ. ನಾರಣಯ್ಯಂಗಾರ್ ಇವರುಗಳ ಹೆಸರಿನಲ್ಲಿರುವ ಮೊತ್ತ.

15. ಮದರಾಸ್ ತಿರುವಲ್ಲಿಕ್ಕೇಣಿಯಲ್ಲಿ ಶ್ರೀಮ್ಮಾ ಎಸ್. ಆಳಶಿಂಗ್ರಾ ಚಾರ್, ರಾಯ್ ಸಾಹೇಬ್ ಆರ್. ಎ. ಶ್ರೀನಿವಾಸಯ್ಯಂಗಾರ್ ಇವರುಗಳ ಹೆಸರಿನಲ್ಲಿರುವ ಮೊತ್ತ.

16. ತಾ|| 30-10-1919 ರಲ್ಲು ಶ್ರೀಮೌ॥ ಚಾರ್ರು ಬರೆದುಕೊಟ್ಟಿರುವ ಪ್ರೋನೋಟು ಬಾಬತು ಮೊತ್ತ.

17. ತಾ|| 26-7-1916 ರಲ್ಲು ಶ್ರೀಮೌ॥ ಮೆಂ|| ಕೈ|| ಆಳಸಿಂ ಚಾರ್ಯರವರು ಬರೆದುಕೊಟ್ಟು 20-6-1919 ರಲ್ಲಿ ರಿನ್ಯೂ ಪ್ರೋನೋಟು ಬಾಬತು ಮೊತ್ತ.

18. ತಾ|| 18-11-1919 ರಲ್ಲು ಶ್ರೀಮೌ॥ ಕೆ. ಪಾರ್ಥಸಾರಥ್ಯೆಂಗಾರ್ರು ಬರೆದುಕೊಟ್ಟಿರುವ ಪ್ರೋನೋಟು ಬಾಬತು ಮೊತ್ತ.

19. ಶ್ರೀಮೌ॥ ಎಸ್ ತಿರುನಾರಣಯ್ಯಂಗಾರ್ರವರ ಧರ್ಮಫಂಡು ವರಮಾನ.

20 ಶ್ರೀಮತಿ ಎಸ್ ತಿರುಮಲಮ್ಮನವರ ಧರ್ಮಫಂಡಿನ ವರಮಾನ

21. ಶ್ರೀಮತ್ಪರಮಹಂಸೇತ್ಯಾದಿ ಶ್ರೀ ಸ್ವಾಮಿಗಳವರ ಧರ್ಮ ಫಂಡಿನ ವರಮಾನ.

22 ಶ್ರೀಮೌ॥ ಮನ್ನಿ ಸಿಂಗಳಾಚಾರ್ರಲ್ಲಿರುವ ಮೊಬಲಗು.

23. ಶ್ರೀಮೌ॥ ಎಂ. ಓ. ಸಿಂಗ್ರೈಂಗಾರ್ರವರ ಮರಣಶಾಸನದ ಧರ್ಮಫಂಡಿನಲ್ಲಿ ಕಂಡ ಮೊತ್ತ.

24. ಶ್ರೀಮೌ॥ ದಿವಾ॥ ಬಹದೂರ್ ಎಂ ಓ. ಪಾರ್ಥಸಾರಥ್ಯೆಂಗಾರ್ರವರ ಧರ್ಮಫಂಡಿನ ವರಮಾನ.

25. ಮೇಲುಕೋಟೆ ಶ್ರೀ ನಾರಾಯಣಸ್ವಾಮಿ ದೇವಸ್ಥಾನದಿಂದ ಬರತಕ್ಕ ಮಾಸಗಟ್ಲೆ ಪಡಿತರ ವಗೈರೆ.

26. ಶ್ರೀಮೌ॥ ಮಹಾರಾಜರವರ ಅರಮನೆ ಇಲಾಖಾ ಮಾಸಾಶನ.

27. ಮೆಸ್ಸೆನ್ಜೇದಮ್ಮನವರ ಮರಣಶಾಸನದ ಧರ್ಮಾಧಿಕಾರಿಯ ಪತ್ರ.

ತೇದಿ ೧೯೫೧ ನೇ ಸೆಪ್ಟಂಬರ್ ೨೫, ಬೆಂಗಳೂರು ಮಲ್ಲೇಶ್ವರ. "ಶ್ರೀ ಯದುಗಿರಿ ಯತಿರಾಜ ಸಂಪತ್ಕುಮಾರ ರಾಮಾನುಜ ಜೀಯರ್"—ಎಂದು ಗ್ರಂಥಾಕ್ಷರದಲ್ಲಿ ರುಜುವಿಧೆ.

ಇದರಲ್ಲಿ ಕಂಡ ಅಂಶಗಳನ್ನೆಲ್ಲಾ ನ್ಯಾಸರಕ್ಷಕರಾದ ನಾವು ನೆರವೇರಿಸಿ ಕೊಡುವುದಾಗಿ ಸಮ್ಮತಿಸಿ ಈಕೆಳಗೆ ನಮ್ಮ ಹಸ್ತಾಕ್ಷರವನ್ನು ಕೊಟ್ಟಿರುತ್ತೇವೆ.

(Sd) M. O. Parthasarathy Aiyengar,
„ R. Narasimhachar,
„ M. A. Narayan Iyengar,
„ M. T. Naraniengar.

ಸಾಕ್ಷಿಗಳು:—

(Sd) M. R. Ramanuja Iyengar
„ M. A. Narayana Iyengar.

ಬಿಶ್ಯಲಂ—ಬೆಂಗಳೂರು ಶಂಕರಪುರದಲ್ಲಿರುವ ಬಿ. ವಾಸುದೇವರಾವ್.

Presented at Sree Yatiraja Mutt, Malleswaram, Bangalore, on 25—9—1921 at 10-30 A. M. by Sree Yadugiri Yatiraja Sampatkumara Ramanuja Jeeyer.

Execution admitted by Sree Yadugiri Yatiraja Sampatkumara Ramanuja Jeeyer. (Thumb mark)

Thumb mark (Sd.) M. O. Parthasarathy Aiyengar,
do „ R. Narasimhachar,
do „ M. A. Narayanaiyengar,
do „ M. T. Narniengar

Identified by A. V. Desikachar, Head Clerk,
District Registrar's Office, Bangalore.

25—9—1921 (Sd.) A. Krishna Rao,
Sub Registrar.

Registered as No. 1556 of
to 171. Fee paid Rs. 7—4—0.
copy fees Rs. 7—10—0. Total Rs. 18—
Attendance Fee Rs. 10—0—0. Total Rs. 2

6—10—21 (Sd.) A. Krishna
Sub-Re

Seal of the Sub-Registrar, Bangalore.

ಮೇಲ್ಕಂಡ ಅಂಶಗಳಿಗೆಲ್ಲಾ ಒಪ್ಪಿ ಈದಿವಸ ಈಕೆಳಗೆ ರುಜುಮಾಡಿದ್ದೇನೆ.

(Sd) R. A. Sreenivasa Aiyengar

23—1—22

Presented in the Office of the District Registrar of Mysore on 23rd January 1922 at 5 P. M.

(Sd) R. A. Sreenivasa Aiyengar.

Execution of the document admitted by

(Thumb Mark) (Sd) R. A. Sreenivasa Aiyengar.

Executant is personally known to me.

Mysore, (Sd) T. Venkataramaiya,
23rd January 1922 For District Registrar

Registered as No. 25 of 1921—22 in Book I, Vol. 10 on pages 424 to 437. Fee paid Rupees twentytwo and annas eight only.

Seal of the Dt. Registrar, Mysore. (Sd) T. Venkataramaiya,
For District Registrar,
Mysore Dt.

ವೆ. ಬಿ. ಸುಬ್ಬಯ್ಯ ಅಂಡ್ ಸನ್ಸ್, ಬೆಂಗಳೂರು ಸಿಟಿ.

Copy
Adv. for Petrs. 7/10/25

Section Mes

File No. 23

Serial No.

No. of letter replied to .....

General and Revenue Secretariat

( )

the *193* .

te of issue 19/10/33

Signed by B. Muddukrishnappa

List of enclosures.....

Copied by 7/10

Examined by.....

No. 479/

To

The

M. N. Gopalaswamy Iyengar Esq
M.A.B
Advocate

115. Shankarapuram Extension

Bangalore City.

Sir,

With reference to the petition dated the 7th October 1933 submitted by you on behalf of your clients Messrs M.T. Narasimhan, M.A Lingachar and two others, praying for setting aside the Govt order No 187-19/Mung 65-31-8 dated 7th June 1932 rejecting to the taking over by the management of the properties of the Sri Gayatriraja Mutt at Melkote, and for a stay order

pending final disposal of the petition, I am directed to state in respect of the request for a stay order that, a ~~Separate~~ petition duly stamped for a stay order has to be filed ~~should be made to Govt for the purpose~~, for consideration.

Yours faithfully

BOS

13/10 For Financial Secy

BOS 13/10

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

No. 479 Mis

Dated, Bangalore, 17-10-1933.

19 ct

From

The Financial Secretary to the Government of His Highness the Maharaja of Mysore.

To

M. A. Gopalaswamy Iyengar, Esq., M.A., B.L.,
Advocate, 115, Shankarapur Extension,
Bangalore City.

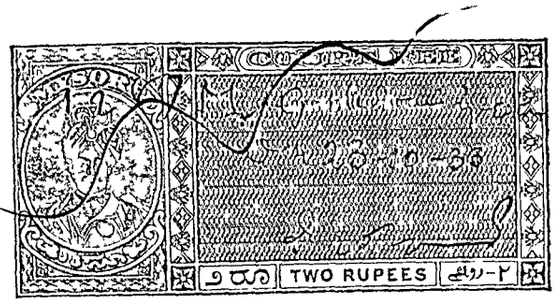
Sir,

With reference to the petition dated the 7th October 1933 submitted by you on behalf of your clients Messrs: M.T.Naraniengar M.A., Singrachar and two others, praying for review of the Government Order No.187-19/Muz.65-31-8 dated 7th June 1932 directing the taking over of the management of the properties of the Sri Yathiraja Mutt at Melkote and for a stay order pending final disposal of the potition, I am directed to state that in respect of the request for a stay order, a separate petition duly stamped has to be filed.

Yours faithfully,

For Financial Secretary to Government.

TSS.



BEFORE THE GOVERNMENT OF HIS HIGHNESS
THE MAHARAJA OF MYSORE, BANGALORE.

Muzrai Petition No. of 1933-34.

Petitioners:- 1. M.T.Narana Iyengar,
2. M.A.Singlachar,
3. K. Sreenivasa Iyengar and
4. R. Tirunarana Iyengar.

Vs

Opponent:- His Holiness Sri Yedugiri Yatiraja Sampathkumara Ramanuja Jeeyar Swamigalu of Melkote.

APPLICATION FOR STAY.

The petitioners abovenamed beg to state as follows:-

1. The petitioners have submitted on 7-10-1933 a petition to the Government praying for a review of the Government Order No. 187-19 Muz.65-31-3 dated the 7th June 1932 directing the taking over of the management of the properties of the Yatiraja Mutt at Melkote for a period of three years, The said review petition is pending before the Government.

2. In pursuance of the said order, the Government have directed the Muzrai Commissioner in Mysore to take possession of the moveable and immoveable properties alleged to belong to the Yatiraja Mutt at Melkote

Melkote. The Muzrai Commissioner has accordingly issued notices to the petitioners, the tenants of the lands and houses belonging to the Mutt, sundry debtors, the Mysore Provincial Coppera-tive Apex Bank wherein the petitioners have invested part of the trust funds and special trustees who hold funds - granted for the performance of special services in the Mutt under separate deeds of trust, calling upon them to deliver possession of the properties in their custody and possession to him and to render an account thereof to him.

3. In consequence of the said notices of the Muzrai Commissioner, the tenants have withheld payment of rent, the debtors payment of interest, the Apex Bank payment of interest due on the deposits, and the special trustees have suspended the per-formance of the special services. As a result of all this the petitioners have been unable to carry on some of the - services stipulated under the various trusts described in detail in their review petition and to discharge fully their - duties and responsibilities thereunder Further, all this has caused not only great dissatisfaction among the disciples and donors of the Mutt, but also brought

the

the work of the Mutt to a standstill.

4. In the best interests of the Mutt it is necessary that the execution of the said Government Order should be stayed pending disposal of the Review Petition and that the petitioners should be permitted to carry on the services as - before.

5. Wherefore the petitioners most respectfully pray that the Government may be pleased to stay the execution of their order under review and permit the petitioners to hold and manage the properties of the Mutt, pending disposal of the Review Petition.

Bangalore City, 23-10-1933 } K. V. Narasimhayya

M. A. Gopalaswamy Iyengar
Advocate for the petitioners

We, the first petitioners abovenamed solemnly declare that what is stated above is true to ~~their~~ my knowledge and belief.

Bangalore City,
23.10.1933.

K. V. Narasimhayya

F G—1]

SUBJECT .....

.....

.....

Section Mes

File No. 252-33

Serial No. 4

Diary No. of letter replied to ....

No.

To M. A. Gopalaswamy Iyengar
Advocate, 115 Shankarpuram
Extension - Bangalore city

Sir,

With reference to the petition dated the 23.10.1933 filed by you on behalf of your clients Messrs. M.T. Narasa Iyengar and others praying for a stay order that the execution of the G.O. No 164-19 Mung 65-31-8 dated the 7th June 1932 regarding the assuming of the management of the properties of the Sri Yadhiraja Mutt at Melkote, may be stayed pending disposal of the Review petition filed by them before

General and Revenue Secretariat

( )

the *193* .

Date of issue 3/11/33

Signed by C.V.B. Muddukrishnappa

List of enclosures.....

Copied by.....

Examined by.....

WD 0253—GPB—15,000—26-8-32

~~Gentlemen~~, I do state
that no order can be
issued in matter. ~~The date~~
~~of hearing the Review Petition~~
~~will be intimated to you~~
~~in due course~~.

James Fairbrother

~~31~~ 1/11/33

For Registrar of Lords

31/10

GENERAL AND REVENUE SECRETARIAT

D. No. 607

Dated, Bangalore, 2nd November 1933

Mug 252-33-4 3-11 30

To

M. A. Gopalaswamy Iyengar, Esq., B.A.,B.L.,
Advocate, 115, Shankarpuram Extension,
Bangalore City.

Sir,

With reference to the petition dated the 23rd October 1933 filed by you on behalf of your clients Messrs. M. T. Narayana Iyengar and others praying that the execution of Government Order No. 187-19/Muz. 65-31-8 dated the 7th June 1932 regarding the assumption of the management of the properties of the Sri Yathiraja Mutt at Melkote, may be stayed pending disposal of the Review petition filed by you on their behalf, I am directed to state that no stay order can be issued in in the matter.

Yours faithfully,

For Financial Secretary to Govt.

Psk

TINNEVELLY ART
12 FEB.
No. ...

15/2
Rs 19-2-34

TWO RUPEES

In the Court of the Before the Govt of His Highness the Govt of. 9/4

Revn Petn No. 10 OF 1933 –1934

Petition Deed
15/2

Appellant—Plaintiff. *Respondent—Defendant*

K. T. Narayanaiyar & Anr. VS. Sri Swami of Jadugini Yathiraj Mutt

1. I/The Appellant above-named do, by these presents retain Messrs. E. S. Venkataramanan, B.A., B.L., and G. S. Doraswami Iyer, B.A., B.L., Advocates, to appear and conduct the above case on my behalf to judgment

2. I further empower them to execute any decree or order that may be passed in my behalf, and to receive from Court such sums of money as I may be entitled to get and to grant receipts therefor, to withdraw, compromise or refer to arbitration the said suit, to appoint a substitute or substitutes and to act and perform all other matters and things relative thereto and connected therewith.

3. I also undertake to confirm and ratify all the legal acts done by the said Advocates in so doing.

SRI YATHIRAJA MUTT, MELKOTE, P.O. MYSORE DIST.

Accepted

E. Venkataramanan

Signed before me and personally known to me,

ADVOCATES FOR Appt.

14/2/33

ADVOCATE

the Connected Lawfile is herewith
put up

If I receive the

The decree copy in the case
has been sent back to the Manager.
(Court (Order) Copy N)

The file may perhaps be sent
back to the Manager branch after

BEFORE THE GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

Muzrai Review Petn. No. 10 of 33-34.

M.T. Naraniengar and 3 others. — PETITIONERS.

-VS-

His Holiness Sri Yadugiri Yathiraja Sampatkumara Ramanuja Iyengar. — OPPONENT.

The Opponent respectfully begs to state as follows :-

1. The Petition does not disclose any grounds for reviewing the final order passed by the Government so long ago as the 7th June 1932. As the Petitioners, by the conduct, made the position of the Opponent intolerable, the latter applied to the Government to take over the management of the Mutt, for reasons fully set out in his Petition. Notice of the application was personally served on the petitioners, but they never cared to appear and question the truth of the allegations made by the Opponent. The Government waited for a sufficiently long time and, as, by

their

their absence, the Petitioners must be deemed to have admitted the truth of the allegations made by the Opponent and to have consented to his prayer being granted, final orders were passed on the 6th/7th June 1932 after a consideration of the representations made by the Opponent.

2. The said order of the Government is final, and binding on the parties. No grounds have been alleged in the Petition which would, in law, be sufficient to re-open the whole matter. The Review Petn. is, moreover, highly belated and made after effect has been given to the order to a considerable extent.

3. On the merits, the Opponent - respectfully begs to submit the allegations in paragraph 1 of the petition are not correct and is based on a misreading of Sec.25 of the Mysore Religious & Charitable Endowments Regulation.

4. The allegations in para 2 of the petition are also neither true nor correct. There is no usage or practice as is referred to in that para nor had the Management been

vested in

vested in any "body of Trustees" for a very long time. There was no such trust any time and a ~~perusal~~ perusal of the socalled Trust Deed itself shows that there was no such trust - much less a ratification of that trust. The Petitioners got the Deed executed by him making him believe that they would look after the properties of the Mutt and arrange for his comforts and thus enable him to devote his attention entirely to the spiritual needs of the community. The execution of the Deed does not deprive the Opponent of the power of his management and does not constitute the Petitioners "Trustees" in the real sense of the word. They were no more than his Managers or Agents, removeable at his will, and the Deed does not <u>vest</u> any estate in the Petitioners.

5. The allegations in para 3 of the Petn. are based on a misconception of law and facts. There was absolutely no ancient trust and the previous Mathadhipathis had not executed any such trust. The Opponent who is admittedly the Mathadhipathi of the Yethiraja Mutt, being himself only a Manager in the position of a Trustee, cannot in law, execute a Trust Deed appointing the Petitioners as Trustees in his

own

own place or jointly with him. The Deed has not and cannot, therefore, confer any right on the Petitioners as Trustees, and it is nowhere stated that the properties should always vest in the community and - that the Opponent or the Mutt should have no right in it. The very fact that a "Trust Deed" was found necessary shows - that there was no such usage or custom as is now alleged by the Petitioners. The preamble of the Deed shows that the main object was merely to appoint some persons to look after the preservation and -- maintenance of the properties belonging to the Mutt, the collection, expenditure and worship of the deities in the Mutt and to enable the Opponent to devote his attention entirely to the ministering the spiritual needs of the community, and also to enable him to tour in Northern India.

6. The allegations in para 4 of the petition are not true. The Opponent does not admit the interpretation sought to be placed by the Petitioners on para 1 of the "Trust Deed". Paragraph 1 of the Deed was

intended

intended only to refer to the fact that the Mutt was without a Swami for a number of - years after the death of the previous Swami, that the Community had to look after the - properties of the Mutt and elect a new Swami.

7. The Opponent denies that the order passed by the Government is a "Summary" one. The order was made after due consideration of all the facts of the case and after giving - sufficient opportunity to the Petitioners. There is absolutely no truth in the allegation in para 5 of the petition that the petitioners were making"attempts to bring about a settlement". The Opponent is completely ignorant of any such attempt, and, even if the allegation is true, it is not a sufficient ground for the absence of the Petitioners or for a reconsideration of the orders already passed.

8. The Opponent has ample power to remove the Petitioners from management and has, both by his conduct and writing, directed them not to meddle with the Mutt properties but to hand them over to Government.

37

9. The Petitioners have not properly understood the scope and effect of Sec.25 of the Mysore Religious & Charitable - Endowments Regulation. The Opponent is entitled to apply to the Government to take over management of the Mutt and its properties.

10. The allegations in para 8 of the Petition are not true. The sums deposited in the Bank are all moneys collected and sent to the Petitioners by the Opponent - himself, as their own reports show. The Petitioners have no right to continue to be in possession of the moneys of the Mutt.

11. The Opponent does not admit the truth of the allegations in para 9 of the Petition. The statements in this para are in conflict with well established - principles defining the purpose of a Mutt and the position and powers of its head in respect of the Mutt and its properties. The petitioners cannot arrogate to themselves (as evidently they want to do) the power to rule the Mutt and its head and make him only a servant of theirs and deprive him of his right to manage the Institution.

12. Having regard to the conduct of the Petitioners in the past, the Opponent is not willing that the Management should continue in their hands. As admittedly there are disputes between the Petitioners and the Opponent, it would be highly prejudicial to the interests of the Mutt and its smooth working if the Petitioners are allowed to continue in management any longer. On the other hand, the impartial management of the Government will not only conduce to the smooth working of the Institution but will inspire confidence and trust in the Institution to the devotees and followers thereof.

13. The Opponent has every right to receive the grants mentioned in para 10 of the Petition and their receipt by him does not amount to a violation of the terms of the alleged "Trust Deed".

14. The alleged "Trust Deed" is invalid as the Opponent who is himself only a Manager in the position of a Trustee of the Mutt has no power to create a trust. The legal relationship between the Petitioners and Opponent under the document can only amount to that of a principal and agent or that of a Master and Servant

35

15. All the allegations in the Petition not expressly admitted herein are denied by the Opponent.

16. The Opponent therefore prays that the Review Petition filed by the Petitioners may be dismissed.

Bangalore.
19th February 1934.

Advocate for Opponent.

BEFORE THE GOVERNMENT OF HIS HIGHNESS

THE MAHARAJA OF MYSORE,

B A N G A L O R E.

Muzarai Review Petition No. 10 of 1933-34.

Petitioners:- M. T. Narayana Iyengar

& Others.

-- VS --

Opponent:- His Holiness Sri Yadugiri

Yatiraja Sampathkumara

Ramanuja Jeeyar.

The Petitioners beg to file the following Statement in reply to the Written Statement submitted by the Opponent on the 19th February, 1934, during the course of the argument:-

I. The Order of the Government under review, was made without notices to the petitioners. There was neither an enquiry, as prescribed under the Land Revenue Code, nor a hearing before the Government proceeded to make an order in the case.

II. The Petitioners have neither admitted the truth of the complaints made by the Opponent against them, nor acquiesced in them. They have, on the contrary, emphatically denied

the

the truth of those complaints and expressed the readiness to adduce evidence to prove that the Opponent's complainants are not true, if an opportunity was given.

III. The letter dated 4-1-1932, written to the Muzarai Commissioner by the late Mr. R. A. Narasimha Iyengar as Secretary of the Yatiraja Mutt Trust Board, and the letter - - dated 4- 6- 1932 written by Mr. M. A. Narasimhachar as Secretary of the Conciliation Committee, to the then First Member of Council, will show that the petitioners had been making bona-fide attempts for an amicable settlement out of - Court before presenting the Review Petition.

IV. The admissions made by the Opponent in the Trust Deed executed by him and his - - acquiescence till 1929, clearly prove the - - existence of a Trust or Trusts and their ratification and confirmation by him. The Opponent has not produced any documents to show that the Petitioners are merely his Agents removable at his will.

V. The Head of a Math is not a Trustee in the English sense of the term (Vide I.L.R. 44, Madras, page 831, P.C.). In the interests of the Math, he can create a Trust, the object of which is to secure the conservation and management of the Math and its properties. As the Trust Deed has been executed by the Opponent at the desire and with the consent, of the - entire body of disciples and donors of the -

Math,

and in accordance with its Constitution, and - usage, there is nothing in law, to render it - invalid.

VI. The Opponent has not reserved any power to revoke the Trust Deed. Even if he had any, he cannot do so, as the Trust Deed merely evidences and regulates the ancient Trust. Further, as the Deed has been executed by him with the consent of the disciples and devotees of the Math, he cannot revoke it without their consent. The Opponent cannot cancel the Deed by a unilateral declaration unevidenced by any formal and legally binding document.

VII. The application for management by Government is merely an attempt to secure the cancellation of the Trust Deed without the intervention of a Civil Court. It is, therefore, an abuse of the legal process under the Religious and - Charitable Institutions Regulation.

VIII. Whenever any question of Trust in respect of a Religious and Charitable Institution arises, it is the duty of the Muzarai Court under Section 13 of the Regulation to refer the matter to the District Court for adjudication. Even apart from Section 13 of the (Muzarai) Regulation, complicated questions of title, trusts etc are legitimately within the jurisdiction of Civil - Courts and beyond the purview of the Muzarai Courts.

IX. The Petitioners have never arrogated to themselves the power to rule the Math and its head, and to make him only a servant of theirs. They

They have all along recognised and respected the Opponent as the Spiritual Head of the Math, and expressed their willingness to carry on their duties in accordance with the wishes, as far as possible, of the Opponent and in the best interests of the Math.

X. As the Opponent has been directly receiving most of the income from the Math properties, there is hardly any ground for complaint against the Petitioners.

Wherefore the Petitioners humbly pray that the Court may be pleased to set aside the order under review, and confirm the existing Trust Board arrangement.

Bangalore,

23rd February, 1934.

C.A. Gopalaswamy Iyengar

Advocate

for Petitioners.

Before the Government of His Highness

the Maharaja of Mysore.

Mussai Review No. 10 of 1963-1964.

Petitioners.	VS:	Opponent.
1.Mr.A. Seshaniengar, Malleswaram, Bangalore 2.Mr. L.A.Jagladhar, Rama Vilas Agrahar Mysore. 3.Mr. K.Srinivasa Iyengar, Rama Vilas Agrahar, Mysore. 4. Mr.R.Tirumaraniengar, Vontikopoal, Mysore. (Trustees of Sri Yadu Giri Yathiraja Mutt, Melkote.)		Swami, Head of Sri Yadugiri Yathiraja Mutt, Melkote.

O R D E R.

Prayer of the petitioners for revision of the order, the Government order No. [illegible] dated 7-6-1963 directing the resumption of the management of the properties of Sri Yadugiri Yathiraja Mutt at Melkote.

The case was heard on 4th February 1964. The petitioners with their counsel Mr. [illegible] and the Opponent's Counsel Mr.R.S.Venkataramanan were present and were heard.

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order

The points now urged in the petitioners' case were all considered by Government before orders could be passed. The Mysore Religious and Charitable Institutions Abolition VII of 1927 authorises the taking over of the management of the properties

8 Cases (G)

Before the Government of His Highness the Maharaja of Mysore.

Mis 3 Review Appeal No. 10 of 1933-34

Petitioner ~~Appellant~~. Vs. Respondent ~~Respondent~~

Mr. M. T. Narasimhan
Malleswaram Bangalore

Mr. M. A. Singlachar Ramalilas Agrahara
Mysore.

" K. Srinivasa Iyengar do do ~~Subject~~

" R. Timmaraiengar - Vontikoppal.
Mysore.

(Trustees of Sri Yadugiri Yathiraja Mutt
Melkote

The Govt
of Sri Yadugiri
Yathiraja
Mutt -
Melkote

Subject

Prayer of the petitioners for reviewing and vacating the G.O. No 1887-19 Mis 63-31-8 dt 7.6.32 directing the assumption of the Trustees of Sri Yadugiri Yathiraja Mutt at Melkote.

The Case was Called on Monday the 19th Feby 1934. The full

GPB—1,000—8-8-11

Counsel on both sides

E. S. Venkataramanan were present and heard.

order

The points urged by Counsel are considered before order was passed. The petitioners were sought to be removed

Mysore Religious and Charitable Insts Regulation VII of 1927 authorises the taking over of the management of the properties of the Mutt on the request of the Swamiji and the Existence of any agreement or Deed cannot take away that power. As no new points are urged before us we see no reason to modify the order already passed on the main

1540 / M.P. 252-33 S & 17 S-34
Cc to Sri M. A. Gopalaswami Ayyangar Advocate for the petitioners-
B-o

1541 & 17 S-34 & 1515 for Hrce
Cc Mr E. S. Venkataramanan Adv. for the Opponents. B. O

1542 & 17-S-34 & 1515 for Hrce
Coly to M.C & B.O